

Attorney Docket No.

MERCHANT & GOULD P.C.

United States Patent Application

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: Paint, particularly for plastic materials, and painting method using said paint.

The specification of which

- a. ☐ is attached hereto  
b. ☒ was filed on as application serial no. and was amended on (if applicable) (in the case of a PCT-filed application) described and claimed in international no. PCT/EP03/00600 filed January 22, 2003 and as amended on (if any), which I have reviewed and for which I solicit a United States patent.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☐ no such applications have been filed.  
b. ☒ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)
Italy	TO2002A000069	24 January 2002	
ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)

I acknowledge the duty to disclose information that is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (reprinted below):

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim;  
or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

- (c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:
- (1) Each inventor named in the application;
  - (2) Each attorney or agent who prepares or prosecutes the application; and
  - (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

(e) In any continuation-in-part application, the duty under this section includes the duty to disclose to the Office all information known to the person to be material to patentability, as defined in paragraph (b) of this section, which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

Ali, M. Jeffer	Reg. No. 46,359	Leonard, Christopher J.	Reg. No. 41,940
Altera, Allan G.	Reg. No. 40,274	Liepa, Mara E.	Reg. No. 40,066
Anderson, Gregg I.	Reg. No. 28,828	Lindquist, Timothy A.	Reg. No. 40,701
Batzli, Brian H.	Reg. No. 32,960	McDonald, Daniel W.	Reg. No. 32,044
Beard, John L.	Reg. No. 27,612	McIntyre, Jr., William F.	Reg. No. 44,921
Berns, John M.	Reg. No. 43,496	Mueller, Douglas P.	Reg. No. 30,300
Blackburn, Murrell W.	Reg. No. 50,881	Nelson, Anna M.	Reg. No. 48,935
Bortolotti, Rebecca	Reg. No. 51,488	Parsons, Nancy J.	Reg. No. 40,364
Branch, John W.	Reg. No. 41,633	Pauly, Daniel M.	Reg. No. 40,123
Brown, Jeffrey C.	Reg. No. 41,643	Peterson, Kyle T.	Reg. No. 46,989
Bruess, Steven C.	Reg. No. 34,130	Phillips, John B.	Reg. No. 37,206
Byrne, Linda M.	Reg. No. 32,404	Pino, Mark J.	Reg. No. 43,858
Campbell, Keith	Reg. No. 46,597	Qualey, Terry	Reg. No. 25,148
Carlson, Alan G.	Reg. No. 25,959	Randall, Joshua N.	Reg. No. 50,719
Caspers, Philip P.	Reg. No. 33,227	Reich, John C.	Reg. No. 37,703
Clifford, John A.	Reg. No. 30,247	Reiland, Earl D.	Reg. No. 25,767
Cook, Jeffrey	Reg. No. 48,649	Rieth, Damon A.	Reg. No. 52,167
Daignault, Ronald A.	Reg. No. 25,968	Schmaltz, David G.	Reg. No. 39,828
Daley, Dennis R.	Reg. No. 34,994	Schuman, Mark D.	Reg. No. 31,197
Daulton, Julie R.	Reg. No. 36,414	Schumann, Michael D.	Reg. No. 30,422
DeVries Smith, Katherine M.	Reg. No. 42,157	Scull, Timothy B.	Reg. No. 42,137
DiPietro, Mark J.	Reg. No. 28,707	Sebald, Gregory A.	Reg. No. 33,280
Doscotch, Matthew A.	Reg. No. 48,957	Skoog, Mark T.	Reg. No. 40,178
Edell, Robert T.	Reg. No. 20,187	Spellman, Steven J.	Reg. No. 45,124
Epp Ryan, Sandra	Reg. No. 39,667	Stewart, Alan R.	Reg. No. 47,974
Fitzsimmons, Karen A.	Reg. No. 50,470	Stoll-DeBell, Kirstin L.	Reg. No. 43,164
Franzen, Rick L.	Reg. No. 51,702	Sullivan, Timothy	Reg. No. 47,981
Gadiano, Christina M.	Reg. No. 37,628	Sumner, John P.	Reg. No. 29,114
Goff, Jared S.	Reg. No. 44,716	Swenson, Erik G.	Reg. No. 45,147
Goggin, Matthew J.	Reg. No. 44,125	Tellekson, David K.	Reg. No. 32,314
Golla, Charles E.	Reg. No. 26,896	Trembath, Jon R.	Reg. No. 38,344
Gorman, Alan G.	Reg. No. 38,472	Tunheim, Marcia A.	Reg. No. 42,189
Gould, John D.	Reg. No. 18,223	Underhill, Albert L.	Reg. No. 27,403
Gregson, Richard	Reg. No. 41,804	Vandenburgh, J. Derek	Reg. No. 32,179
Gresens, John J.	Reg. No. 33,112	Vidovich, Kristin K.	Reg. No. 41,448
Hamer, Samuel A.	Reg. No. 46,754	Wahl, John R.	Reg. No. 33,044
Hamre, Curtis B.	Reg. No. 29,165	Welter, Paul A.	Reg. No. 20,890
Hennings, Mark	Reg. No. 48,982	Whitaker, John E.	Reg. No. 42,222
Hertzberg, Brett A.	Reg. No. 42,660	Wiegand, Jamie	Reg. No. 52,361
Hillson, Randall A.	Reg. No. 31,838	Wier, David D.	Reg. No. 48,229
Hope, Leonard J.	Reg. No. 44,774	Williams, Douglas J.	Reg. No. 27,054
Hornsby, III, Alton	Reg. No. 47,299	Withers, James D.	Reg. No. 40,376
Johns, Nicholas P.	Reg. No. 48,995	Wong, Bryan A.	Reg. No. 50,836
Johnston, Scott W.	Reg. No. 39,721	Wong, Thomas S.	Reg. No. 48,577
Kalinsky, Robert A.	Reg. No. 50,471	Xia, Tim Tingkan	Reg. No. 45,242
Kettelberger, Denise	Reg. No. 33,924	Zeuli, Anthony R.	Reg. No. 45,255
Keys, Jeramie J.	Reg. No. 42,724		
Knearl, Homer L.	Reg. No. 21,197		
Korver, Joshua W.	Reg. No. 51,894		
Kowalchuk, Alan W.	Reg. No. 31,535		
Kowalchuk, Katherine M.	Reg. No. 36,848		
Lamberty, Michael	Reg. No. 50,760		
Larson, James A.	Reg. No. 40,443		

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Merchant & Gould P.C. to the contrary.

I understand that the execution of this document, and the grant of a power of attorney, does not in itself establish an attorney-client relationship between the undersigned and the law firm Merchant & Gould P.C., or any of its attorneys.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name <b>MIRONE</b>	First Given Name <b>Gianni</b>	Second Given Name
0	Residence & Citizenship	City <b>ALESSANDRIA</b> <i>ITX</i>	State or Foreign Country <b>ITALY</b>	Country of Citizenship <b>ITALIEN</b>
1	Post Office Address	Post Office Address <b>Via Giordano Bruno, 25</b>	City <b>ALESSANDRIA</b>	State & Zip Code/Country <b>15100</b>
Signature of Inventor 201: <i>Gianni Mirone</i>			Date: <i>July 5, 2004</i>	
2	Full Name Of Inventor	Family Name <b>MARTINI</b>	First Given Name <b>Giovanni</b>	Second Given Name
0	Residence & Citizenship	City <b>ALESSANDRIA</b> <i>ITX</i>	State or Foreign Country <b>ITALY</b>	Country of Citizenship <b>ITALIEN</b>
2	Post Office Address	Post Office Address <b>Via Schiavina, 41</b>	City <b>ALESSANDRIA</b>	State & Zip Code/Country <b>15100</b>
Signature of Inventor 202: <i>Giovanni Martini</i>			Date: <i>July 5, 2004</i>	
2	Full Name Of Inventor	Family Name	First Given Name	Second Given Name
0	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
3	Post Office Address	Post Office Address	City	State & Zip Code/Country
Signature of Inventor 203:			Date:	
2	Full Name Of Inventor	Family Name	First Given Name	Second Given Name
0	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
4	Post Office Address	Post Office Address	City	State & Zip Code/Country
Signature of Inventor 204:			Date:	
2	Full Name Of Inventor	Family Name	First Given Name	Second Given Name
0	Residence & Citizenship	City	State or Foreign Country	Country of Citizenship
5	Post Office Address	Post Office Address	City	State & Zip Code/Country
Signature of Inventor 205:			Date:	

Applicant or Patentee: \_\_\_\_\_  
Serial or Patent No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: \_\_\_\_\_

Attorney's  
Docket No.: \_\_\_\_\_

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN PLASTLAC S.r.l.

ADDRESS OF CONCERN Corso LAMARMORA, 6 - 15100 ALESSANDRIA

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled PAINT, PARTICULARLY FOR PLASTIC MATERIALS, AND PAINTING METHOD USING SAID PAINT. by inventor(s)

described in

- ☒ the specification filed herewith  
☐ application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING LUCIANO CANTINI

TITLE OF PERSON OTHER THAN OWNER AMMINISTRATORE UNICO

ADDRESS OF PERSON SIGNING CORSO LAMARMORA N. 6 15100 ALESSANDRIA ITALY

SIGNATURE *Luciano Cantini*

DATE 05/07/04

Firma

S/N unknown

10/502222

DT15 Rec'd PCT/PTO <sup>PATENT</sup> 22 JUL 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MIRONE et al. Examiner: unknown  
Serial No.: unknown Group Art Unit: unknown  
Filed: concurrent herewith Docket No.: 07587.0226USWO  
Title: PAINT, PARTICULARLY FOR PLASTIC MATERIALS, AND PAINTING  
METHOD USING SAID PAINT

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 407259025 US

Date of Deposit: July 22, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

Name: JOHN J. GRESSENS

COMMUNICATION UNDER 37 C.F.R. §1.32(c)(3)

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.32 (c)(3) please appoint the following 10 practitioners named in the Power of Attorney to be recognized by the U.S. Patent Office as being of record in the above-identified application:

Brian H. Batzli (32,960)

James A. Larson (40,443)

John A. Clifford (30,247)

Douglas P. Mueller (30,300)

John J. Gresens (33,112)

Joshua N. Randall (50,719)

Curtis B. Hamre (29,165)

Michael D. Schumann (30,422)

Robert A. Kalinsky (50,471)

Gregory A. Sebald (33,280)

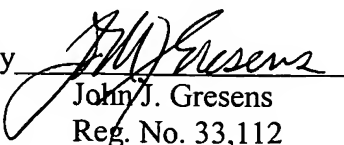
The undersigned was named on the Power of Attorney.

Respectfully submitted,



MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300

Dated: July 22, 2004

By   
John J. Gresens  
Reg. No. 33,112